IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.159 OF 2006

IN

SUMMARY SUIT NO.3516 OF 2005

Kantilal Otarmal Jain. ...Plaintiff

vs.

M/s.Destination Tourist Cars
and another. ...Defendants.

Mr.Bhorekh Manekh i/b. Tushar Goradia & Hrushikesh Nikumb, for Plaintiff.

None for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 8th August, 2006.

P.C.:-

1. The learned Counsel appearing for plaintiff states that the defendants are served. He has filed affidavit of service. The defendants have not filed any application for leave to defend the suit within the time fixed by the provisions of Order 37 of the

Civil Procedure Code. Therefore, in terms of the provisions of Order 37 of C.P.C. the plaintiff is entitled to a decree.

2. Heard the learned Counsel appearing for plaintiff. Perused the record. The summons for judgment is granted. The suit is decreed in terms of prayer clause of the suit. Refund of court fees as per rules.